

1893-015  
Lee Co.

Chancery Causes: Sarah Carter vs. A. R. Carter

Parsons, Stapleton, Hughes

CA-Divorce  
T-Vices



To the Hon. H. S. & Morrison Judge  
of the circuit court of Le Co Va

Humblly complaining your Or  
atrix Sarah Carter formerly ~~but~~  
Sarah Parsons, would respectfully  
represent that on the — day  
of April 1887 she entered into  
with one James R Carter and by  
such act became his lawful wife

Your Oratrix states that for  
a few years her said Husband  
acted true, faithful, and dutiful to  
her and during said time, they  
lived happily together as man &  
wife. and as was then thought  
and believed by your Oratrix she  
would never have any ground  
of complaint against her said Hus-  
band. But However, unfortunate for  
your said Oratrix, this state of mind  
was caused to be changed by the  
deigning act of her said Husband—  
for after having so lived as above  
stated until in the month of — —  
1890, her said Husband for no cause  
of complaint upon her part, left his own  
house and returned to his father's house  
without saying a harsh word or  
giving her a moments warning, leaving



her with a small baby to care for  
and alone in the world -

Your Oratrix would further state,  
however; that in a very few days she  
again heard of the said James R. Carter  
mixing, mingling and associating with  
the very worst society known to the  
county in which we then lived and from  
day to day these reports came to her -  
until, finally she was compelled to  
resort to her former home for  
the preservation of life.

And your oratrix would further state  
that the said James R. Carter disregarding  
his marital obligation and in total dis-  
regard of moral laws of God and the  
laws of this state, became deluded by  
his said association; and disregarding  
his faithful vow became the further  
wrecker as a husband by committing  
the act of adultery.

Your Oratrix now states that the  
said James R. Carter, (the husband) has  
not been with or near her, and she has  
not cohabited with him since the  
day of his desertion, which was prior  
to the knowledge of his adultery -  
And your Oratrix states that the  
cause of his infidelity was <sup>not</sup> caused



by any act, consent, or desire of her-  
but wholly against her earnest desire  
and solemn hope; But that the same  
was done voluntarily and free upon  
his (her said husband's) own part,

Yours Orating now states to your Honor, That she is advised that by the laws of the land and the facts herein stated that she is entitled to a divorce in a court of equity, avinculo Matrimonial from her said Husband J. R. Carter and to obtain that end is the object of this bill.

The premises considered  
The prayer of your Oration<sup>s</sup> that James  
R. Carter be made party deft to this bill  
and be required to answer its alleg-  
ations upon oath and upon a  
hearing of the cause a decree be entered  
dissolving the bond of Matrimony now  
existing between your Oration and the  
said James R. Carter, and if in any-  
wise mistaken in this her Special ~~Prayer~~  
Prayer than your Oration prays for  
all general & Special relief, May Com-  
monwealth, <sup>went of</sup> Sp<sup>a</sup> issue, directed &c.

Jno M Morgan. P. 9.



<sup>Im</sup>  
Harrah Carter  
vs. Bill for divorce  
A. R.  
~~James A. Carter~~

1893, 1<sup>st</sup> May Rules Bill

Filed for Ex & Adm

" 2<sup>nd</sup> May Rules Decise

Could Cause set for  
hearing by Jiff

" June Term Decree  
final ORB 493

C 7.57

S .50

A 15.00

CP 1.50

Wt 1.50

\$26.07

1890 to 1900  
6



Harrold & Carter  
vs J. M. Cherry  
A. B. Carter

This cause came on this <sup>9th of June 1893</sup> day to  
be heard upon the bill of the Plff  
~~and of the defendant~~ notice having  
been served upon the Deft and  
the depositions of witnesses taken  
by plaintiff, and considered by the  
court, ~~at~~ and it appearing to said  
court the ~~party~~ Defendant has been  
guilty of the act of adultery. It is  
ordered and decreed, that the  
bonds of matrimony heretofore existing be-  
tween the parties be and are hereby annulled, vacated &  
set aside and held void and that  
the Plff & in this action has leave to  
marry again. But Defendant is  
lawfully restrained therefrom, and  
no further action being necessary  
the cause is stricken from the  
Docket.



Sarah E. Carter  
25 3 hundred  
A. M. Carter

Entered on O.B.

Page 493

June 9, 1898

J. A. G. Hyatt C

Enter this June 9th  
1898. 142 KM  
J J J



Sarah E. Carter Plff  
 vs. J. Deposition  
 A. R. Carter Def

The Deposition  
 of E. D. Stapleton <sup>et al</sup> taken at  
 before me W. B. Hopkins a  
 Notary Public in & for the Co  
 of the State of Va, at my off-  
 ice in the Town of Pennington  
 Gap, to be read on behalf  
 of the Plaintiff in the above  
 styled Cause,

E. D. Stapleton a witness of  
 lawful age being duly sworn  
 deposes and says

Ques 1 Are you acquainted with  
 Sarah E. Carter & A. R. Carter?

Ans I am

Ques 2 Do you know that they once lived  
 together as husband & wife?

Ans Yes sir they did.

Ques 3 During the time they have  
 been married, do you know  
 of A. R. Carter being guilty of  
 the act of adultery, tell all  
 the circumstances?

Ans I think he has something like a year



ago I saw the said Carter, within  
about seventy five yards of a house  
run by a prostitute women, he  
whistled an motion to her, & she  
started in that direction, but saw me  
and turned back towards the house.

I then went up to where the said Carter  
was, & ask him what he was doing there  
from his reply I took it that he was  
there for the purpose of meeting her, she  
lives near me I know her to be a

Common prostitute & further this deponent  
the above parties have not cohabited together since his knowledge of this fact  
I say all this, May the 9<sup>th</sup> 1893

E. Stapleton

G. A. Stapleton another witness, being  
of lawful age after being duly sworn  
deposes & says

Just at

Are you acquainted with Sarah  
Carter & A. R. Carter, and did  
they ever live together as <sup>husband,</sup> ~~man~~  
& wife?

Ans

Yes sir - They did

What

Do you know that during the time  
they so lived together that at the



said A. R. Carter was guilty  
of the act of adultery or  
any circumstance causing  
you to believe he was so guilty?

Ans<sup>r</sup> about twelve months ago I saw the  
said Carter and take May Cox a  
common prostitute & leave the house  
of John Sargant & go into the wood  
about one hundred yards from the house  
& concealed them selves for about thirty  
minutes & she came back toward the  
house I next saw the said Carter in  
a path fifty to 100 yards away. I knew  
her to be a common prostitute.

Sarg Carter & A R Carter have never  
lived or associated together as man &  
wife since her knowledge of their  
circumstances & further the deponent  
saith not the day the 9<sup>th</sup> - 93

R. S. Stapleton  
his  
witness



Drum Stapleton another witness  
of Lawful age after being only  
sworn before 4 days,

Qust 1<sup>st</sup>

Do you know Sarah E. Carter  
and A. R. Carter, and did they  
live together as Husband & wife -?

Ans

I do - They did

Qust 2<sup>nd</sup>

By Sam

Do you know the fact that A. R.  
Carter has been guilty of the act of  
Adultery: or any circumstances  
tending to show this act? If so  
please state it -?

Ans

I have seen the said A. R. Carter within  
the last 12 months associating with  
loose & bad characters. I saw him  
one or two occasions take a common  
prostitute from a path leading  
through a woods off from a main  
path & they would conceal, or hide  
themselves for awhile about 5 or  
10 minutes. I saw no act of infidelity  
upon the part of Mr. Carter except as  
stated but knowing the character he  
was with & hearing the expression



returns

claim on day  
5-78

used by them & receiving their acts  
& knowing the fact that the parties  
had met for the purpose of lewd  
& lasciviousness was led to believe  
that this was their object in secreting  
themselves. I did not try to observe  
them after they had left the road.

I don't think they have association  
together as man & wife since her  
knowledge of this act. This woman  
was known in her neighbor hood  
as a common prostitute & further  
this deponent saith not this May 9-93

J. L. <sup>this</sup> Stapleton  
maist

John P. Hughes a man of lawful  
age. after being duly sworn according  
to law deposes & says

quest 1<sup>st</sup> By Plff -

Are you acquainted with Sarah  
C. Carter, and A. R. Carter, and did  
they live together as man & wife?  
Ans " I am. They did.

quest 2<sup>nd</sup> By Same

Do you know the fact that  
the said A. R. Carter has been guilty  
of the act of adultery, if so where



And please state any circumstances  
tending to show his guilt?

Ans"

I did not see any actual act upon the  
part of A. R. Carter, about 12 months  
ago I saw A. R. Carter in the woods  
near where Maggie Cox lived. Mr Carter  
whistled & motioned his hand in  
that direction, the Cox women started  
toward him, soon after they met  
in the woods they both alone together  
walked off & hid themselves behind  
the root of a blown up tree.

There was no one else near them  
I turned away; did not see any  
further act out of them.

I do however, know the fact that  
the woman he was then with was  
a common & notorious prostitute.  
These parties to wit (A. E. Carter  
& A. R. Carter) has not lived together  
as man & wife since her knowledge  
of this fact. I was informed by  
the defendant himself that he was there  
for the purpose of seduction & that  
he actually ~~per~~ accomplished his desire.  
I have seen him some 5 or 6 times



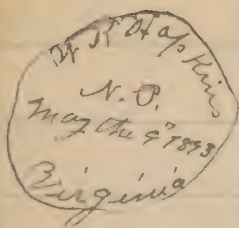
rectus claim around this house & he told  
one day 60¢ me that this was his business &  
I supposed so my self from his  
acts & further this deponents  
saith not May the 9<sup>th</sup> 1893

J. P. Hughes

State of Va Lee county to wit:

J. M. K. Hopkins A Notary Public  
in and for the county aforesaid in  
the state of Va do certify that E. L.  
Stapleton, B. A. Stapleton, D. A.  
Stapleton & J. P. Hughes whose  
names are signed to the foregoing  
depositions Personally appeared before  
me J. M. K. Hopkins A Notary Public  
in & for Lee county Va as my officer  
in Pennington Gap, & after being  
duely Examined certified the <sup>facts</sup> ~~same~~  
therein to be true. Given under  
my hand ~~and~~ seal on this the 9<sup>th</sup>  
day of May 1893

J. M. K. Hopkins N. O.





S. E. Carter  
vs S. S. Carter  
A. R. Carter

Received by mail in  
good condition and  
filed May 12<sup>th</sup> 1893.  
A. S. H. H. H.

Notary 1.50  
Writ 1.50  
— 3.00



Sarah E. Carter  
G.R. AGAINST Bill in Chancery-  
James Carter  
To J.R. James Carter

Take notice that on the 9<sup>th</sup> day of  
of May, 1893, at W.K. Hopkins' Office, in Pennington's Gap Lee  
County, State of Va I will proceed to take the deposition of

Jno I. Hughes from Photographs et al  
to be read as evidence on behalf of Myself

in a certain suit In Chy now pending in the Concise Court of Lee  
County, State of Va, wherein I am

Plaintiff and you are Defendant. And if from any  
cause the taking of said deposition be not begun on that day, or being begun not completed, the same will be  
continued from day to day or from time to time, and, if desired, from place to place, until the same are complete. You  
may attend and cross-examine if you wish.

Thos J. Lee, 1893

Very Respectfully,

Sarah E. Carter

By

J M Morgan Atty

Notaries fee 1.00  
witnesses " 2.00  
ask one of a 20  
Policeman 44  
\$5.64



Latrod & Co  
vs } Notice  
A. R. Carter  
James Carter

I accept Legal  
Service of the  
within notice  
May 1st 1893.

A. R. Carter  
mark



# The Commonwealth of Virginia.

To The Sheriff of Lee County Greeting :

WE COMMAND YOU TO SUMMON ..... *James R. Carter* .....

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in .....  
..... *May* ..... next, being rule day to answer a bill in Chancery exhibited in our said Court against  
..... *him* ..... by ..... *Sarah Carter* .....

And have then and there this writ. Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse.

This ..... *10<sup>th</sup>* ..... day of ..... *April* ..... 18..... *83* ..... in the 11 ..... year of the Commonwealth.

..... *J. A. G. Hyatt* ..... Clerk.

A Copy Teste..... Clerk.



Sarah Carter

3 Spain  
vs 3 Chancery

~~John R. Carter~~

To 1<sup>st</sup> May Rules 1873

Executed Apr 17 1893

By Delivering  
a copy of this  
summons to

A. R. Carter

N. R. Kirk Deputy  
for G. E. Flannery  
S S C